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SUBJECT: VIETNAM AND CHINA SIGN PRELUDE TO FISHING PROTOCOL

Ref: 03 Hanoi 2846

1. (U) Summary: At the conclusion of ministerial talks in Hanoi February 24, Vietnam and the PRC signed an agreement on the basic contents of a future protocol for fishing cooperation in the Gulf of Tonkin, expected to be signed later this year in Beijing. Vietnam views this protocol as essential to reducing the number of conflicts between China and Vietnam over fishing in the Gulf, but Vietnam will likely end up with a diplomatic plus and a fishing minus. End summary.

SIGNING OF THE FISHING PROTOCOL

2 (SBU) The Vietnamese Ministry of Fisheries recently hosted the eighth round of ministerial-level negotiations on fishing in the Gulf of Tonkin in Hanoi. As the talks concluded on February 24, Vietnamese Deputy Minister of Fisheries Nguyen Ngoc Hong and PRC Deputy Agriculture Minister Qi Jingfa signed an agreement between the two ministries on the basic contents of a protocol. The protocol, according to the Deputy Director of the Maritime Affairs Department of the MFA's Border Commission, is intended to flesh out the fishing agreement that was reached in 2000 after seven years of difficult negotiations. During a reception for the Chinese delegation, Deputy Prime Minister Vu Khoan praised the common effort that had led the negotiations to such a positive outcome.

MORE WORK NECESSARY

3. (SBU) According to the MFA, the final contents of the protocol will need to be reviewed during the border talks anticipated for later this year in Beijing. If the two governments approve the details, the protocol will then be submitted to Vietnam's National Assembly and the PRC's National People's Congress for ratification. The protocol is "very likely" to be on the agenda of the National Assembly at its November session this year, the MFA predicted.

SIGNIFICANCE OF THE PROTOCOL

4. (U) In public remarks, Deputy Prime Minister Khoan emphasized that the agreement would be extremely important for the maintenance of long-term stability in the Gulf of Tonkin while helping strengthening trust, friendship, and cooperation between people living on its shores as well as between the peoples of Vietnam and China. The protocol will serve as a "guidance sub-agreement to implement the fishing agreement," according to the MFA. Once in effect, the protocol will provide the basis for the establishment of an inter-ministerial committee to oversee fishing activities, which will work out issues pertaining to the number of boats allowed in each other's waters, how to levy fishing taxes, and other bilateral issues (such as fishing boat incidents) that might arise. (Note: Conflicts over illegal fishing, including mutual seizures of fishing vessels and cargos, occur several times each year in the Gulf. See reftel. End note.)

COMMENT

5. (U) In the list of irritants in the China-Vietnam relationship, fishing is near the top due to the recurrent disputes and seizures of cargos, crews, and ships by both sides. This agreement is an important step forward in the process of hammering out a modus vivendi on the fishing issue. Given the relative size of the fishing fleets (and navies), however, Vietnam will likely end up getting the short end of the stick -- a relatively small price to pay for smoother relations with its powerful neighbor. BURGHARDT